

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 6860

Petitions of Vermont Electric Power Company, Inc.)
(VELCO) and Green Mountain Power Corporation)
(GMP) for a certificate of public good, pursuant to)
30 V.S.A. Section 248, authorizing VELCO to)
construct the so-called Northwest Vermont)
Reliability Project, said project to include: (1))
upgrades at 12 existing VELCO and GMP)
substations located in Charlotte, Essex, Hartford,)
New Haven, North Ferrisburgh, Poultney, Shelburne,)
South Burlington, Vergennes, West Rutland,)
Williamstown, and Williston, Vermont; (2) the)
construction of a new 345 kV transmission line from)
West Rutland to New Haven; (3) the reconstruction)
of a portion of a 34.5 kV and 46 kV transmission line)
from New Haven to South Burlington; and (4) the)
reconductoring of a 115 kV transmission line from)
Williamstown to Barre, Vermont –)

Order entered: 11/30/2007

**ORDER APPROVING MODIFICATIONS TO THE
NEW HAVEN TO VERGENNES DESIGN PLANS**

New Haven to Vergennes

On October 1, 2007, Vermont Electric Power Company, Inc. ("VELCO") filed revisions to its final design plans for the New Haven to Vergennes portion of the line. The only parties to file comments regarding this portion of the line were the Department of Public Service ("Department"), the City of Vergennes ("Vergennes"), and Addison County Regional Planning Commission ("ACRPC"). The Department stated that it had no objection to the October 1 plans, but was seeking clarification from VELCO regarding pole heights in the vicinity of Route 22A. The comments of Vergennes and ACRPC were limited to the area in the vicinity of Route 22A.

The October 1 filing includes a request for approval of a Green Mountain Power Corporation ("GMP") tie line to replace two existing transmission feeds for the GMP Vergennes substation. However, the October 1 filing does not include any statement by VELCO or GMP that the adjoining property owners¹ have no objection to the placement of the tie line or that the adjoining property owners have been notified that they have the opportunity to file comments on this issue with the Board.

The Public Service Board ("Board") approves the October 1 design modifications for the New Haven to Vergennes portion of the line, with the exception of the design plans for the Route 22A area, as discussed below. The Board withholds approval of the GMP tie line until GMP or VELCO indicate that it has reached agreement with the adjoining property owners or has fully informed the adjoining property owners that they have the opportunity to provide comments regarding the tie line to the Board.

On October 18 and October 30, 2007, respectively, ACRPC and Vergennes filed letters requesting that distribution lines in the vicinity of Route 22A be placed underground to allow for lower pole heights in the area. Both parties contend that the height of the poles in this area create an undue adverse aesthetic impact.

On November 5, 2009, VELCO filed a letter asserting that ACRPC and Vergennes' request is untimely because the issue of placing the distribution line underground at the Route 22A crossing has not previously been raised. Further, VELCO states that the height increase of pole 86BB is due to Vergennes' request to move that structure farther away from Route 22A.

On November 5, 2007, the Department filed a letter stating that it would like more information regarding this issue. In particular, the Department requests that VELCO file cost estimates for placing the distribution line underground at the Route 22A crossing and an estimate of the reduction in pole heights that could be achieved by placing the distribution line underground.

1. The term "adjoining property owner" is defined in Board Rule 5.402(B)(2) as a person who owns land in fee simple, if that land:

(a) With respect to a transmission line, will be crossed by the right-of-way for that line, shares a property boundary with such right-of-way, or would share a boundary with the right-of-way but for the presence of an intervening river, stream, public highway, or railroad line which shares a boundary with the right-of-way

The Board has determined that additional information is required before a decision can be made regarding this issue. Accordingly, VELCO shall file cost estimates for placing the distribution line at Route 22A underground and an analysis of the pole height reductions that could be achieved by placing the distribution line underground. If the cost of placing the distribution line underground is minimal compared to the aesthetic gains that could be achieved by lowering pole heights, the Board would expect that VELCO would agree to such modifications.

The Board also notes that Vergennes specifically requested that pole 86BB be moved away from Route 22A. Obviously, any alteration in the design of the line can have consequences; in this case, Vergennes' request resulted in increased pole heights. VELCO was responsive to Vergennes' request and now Vergennes complains about a situation that Vergennes itself created. Despite Vergennes' failure to adequately analyze the potential impacts of its requests, the Board will consider the current request to place the distribution line underground. However it encourages parties to consider more fully the consequences of their proposals.

Vergennes to North Ferrisburgh

On October 15, 2007, VELCO filed revisions to its final design plans for the Vergennes to North Ferrisburgh portion of the line. On November 1, 2007, the Department filed a letter stating that it had no objection to the filing. No other party filed comments regarding the October 15 revisions. On November 21, 2007, VELCO filed a revision to the October 15 filing. No party objected to the November 21 filing. The Board approves the October 15 and November 21 design modifications for the Vergennes to North Ferrisburgh portion of the line.

North Ferrisburgh to Charlotte

On October 22, 2007, VELCO filed revisions to its final design plans for the North Ferrisburgh to Charlotte portion of the line. On November 9, 2007, the Department filed a letter stating that it had no objection to the filing. No other party filed comments regarding the October 22 revisions. The Board approves the October 22 design modifications for the North Ferrisburgh to Charlotte portion of the line.

SO ORDERED.

Dated at Montpelier, Vermont, this 30th day of November, 2007.

_____)	
)	PUBLIC SERVICE
)	
<u>s/David C. Coen</u>)	BOARD
)	
)	OF VERMONT
<u>s/John D. Burke</u>)	

OFFICE OF THE CLERK

FILED: November 30, 2007

ATTEST: s/Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)